

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE TARIFF FILING OF LITEL TELE-)	
COMMUNICATIONS CORPORATION TO)	CASE NO. 89-083
ESTABLISH NATIONAL 800 SERVICE)	

O R D E R

Introduction

On March 9, 1989, LiTel Telecommunications Corporation ("LiTel") made a tariff filing to establish National 800 Service, effective April 7, 1989. National 800 Service is a virtually banded, volume sensitive, inbound toll service. Termination charges for National 800 Service are based on call duration, rate period, and total monthly usage within each rate period.

On April 3, 1989, South Central Bell Telephone Company ("South Central Bell") filed a motion to intervene; consolidate the tariff filing with Administrative Case No. 323;¹ and for nondiscriminatory treatment of LiTel's services. South Central Bell's motion is based on the premise that National 800 Service can generate unauthorized intraLATA traffic. Accordingly, South Central Bell contends that National 800 Service should be subject

¹ Administrative Case No. 323, An Inquiry Into IntraLATA Toll Competition, An Appropriate Compensation Scheme for Completion of IntraLATA Calls by Interexchange Carriers, and WATS Jurisdictionality. LATA is an acronym for Local Access and Transport Area.

to: (1) any compensation agreement that may be ordered in Administrative Case No. 323; and (2) usage reporting requirements ordered in the cases of similar tariff filings.

Discussion

In terms of service configuration, National 800 Service is generically similar to other service offerings that have been approved by the Commission.² In each instance, the service offering can generate unauthorized intraLATA traffic.

The Commission is of the opinion that South Central Bell's motion to intervene should be granted in order to address the remaining motions.

South Central Bell does not specifically move the Commission to suspend and investigate the National 800 Service tariff filing. Moreover, in the opinion of the Commission, an investigation would not serve any useful purpose. Similar tariff filings have been suspended, investigated, and approved subject to the conditions that South Central Bell suggests should apply to National 800 Service. The Commission agrees that the terms and conditions that

² These include, for example, Megacom 800 Service, approved in Case No. 9874, AT&T Tariff Filing Proposing Megacom/Megacom 800 Service; Direct 800 and Ultra 800 Service, approved in Case No. 9902, US Sprint's Tariff Filing Proposing to Rename its WATS Products, Change Billing Calculation Methods for WATS, Introduce UltraWATS, Travelcard, Direct 800 and Ultra 800; MCI 800 Service, approved in Case No. 10049, MCI's Tariff Filing to Introduce Metered Use Option H; Readyline 800 Service, approved in Case No. 10106, AT&T Tariff Filing Proposing AT&T Readyline 800 Service; and Fonline 800 Service, approved in Case No. 89-002, US Sprint Fonline 800 Service.

apply to other service offerings that can generate unauthorized intraLATA traffic should also apply to National 800 Service. Therefore, in the opinion of the Commission, South Central Bell's motion for nondiscriminatory treatment of LiTel's services should be granted.

Since the Commission will mandate that LiTel comply with the same terms and conditions for National 800 Service as apply to other service offerings that can generate unauthorized intraLATA traffic, it is not necessary to consolidate this matter with Administrative Case No. 323. Therefore, in the opinion of the Commission, South Central Bell's motion to consolidate should be denied.

Findings and Orders

The Commission, having considered LiTel's tariff filing, South Central Bell's motion, and being sufficiently advised, is of the opinion and finds that:

1. South Central Bell's motion to intervene should be granted.

2. South Central Bell's motion for nondiscriminatory treatment of LiTel's services should be granted.

3. South Central Bell's motion to consolidate this matter with Administrative Case No. 323 should be denied.

4. LiTel's National 800 Service tariff filing should be made effective on April 7, 1989, pursuant to the provisions of 807 KAR 5:011, Section 9(1), subject to any compensation arrangement that may be ordered in Administrative Case No. 323.


5. LiTel should measure and report interstate and intrastate jurisdictional usage and interLATA and intraLATA usage associated with National 800 Service, and file usage reports with the Commission on a quarterly basis.

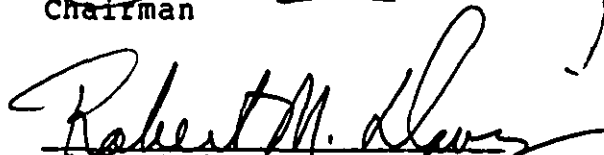
6. LiTel should inform prospective National 800 Service customers that their use of the service to complete intraLATA calls is not authorized by the Commission.

Accordingly, the above findings are HEREBY ORDERED.

Done at Frankfort, Kentucky, this 10th day of April, 1989.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director